

CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Ordinance No.: O-18-02
Introduced by: City Council
Date Introduced: October 2, 2017
First Reading: October 2, 2017
Second Reading: October 9, 2017
Date Adopted: October 9, 2017
Date Effective: October 30, 2017

AN ORDINANCE concerning

CHAPTER 148 – Vacant Property Registration

FOR amending Chapter 148 for the Code of the City of Seat Pleasant, entitled “Vacant Property Registration,” providing for the registration of vacant buildings and lots in the City of Seat Pleasant and providing that the title of this Ordinance shall be deemed a fair summary; and generally relating to the registration of vacant properties in the City.

BY Amending Chapter 148 – Vacant Property Registration
Sections 148-3 B-3-5 and D
Code of the City of Seat Pleasant (1994 Edition, as amended)

WHEREAS, pursuant to § 5-202 of the Local Government Article of the Maryland Annotated Code and § C-501(a) of the Charter of the City of Seat Pleasant, the City Council of the City of Seat Pleasant (the “City Council”) is authorized and empowered to adopt ordinances to assure the good government of the City of Seat Pleasant (the “City”), protect and preserve the City’s rights, property, and privileges, preserve peace and good order, secure persons and property from danger and destruction, and protect the health, comfort, and convenience of the residents of the City; and

WHEREAS, an increasing number of properties in the City have become vacant for various reasons, including but not limited to foreclosure, in which case such properties are in the control of financial institutions or other non-individual entities; and

WHEREAS, the City has found it difficult to identify and notify owners of such vacant properties when violations of the City’s property maintenance code occur and, as such, it is difficult for the City to obtain timely abatement of such violations; and

WHEREAS, the City's difficulty in obtaining timely abatement of such violations is detrimental to the public health, welfare, and safety of the citizens of the City; and

WHEREAS, the City Council desires to amend Chapter 148 in the interest of the public health, welfare and safety of the citizens of the City, and for the good government of the City, to enact this Ordinance and to take the actions as described herein for the Code of the City of Seat Pleasant; and

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that Chapter 148 (Vacant Property Registration), §§ 148-3, be and it is hereby amended to the Code of the City of Seat Pleasant (1994 Edition, as amended), to read as follows

§ 148-3. Vacant buildings.

- (3) Residential Rental Properties Less Than Twenty-Five Percent (25%) Occupied. Whenever any building designed as a rental property with four (4) or more dwelling units is less than twenty-five percent (25%) occupied ~~and~~ OR such building or premises thereof contains one (1) or more violations of Chapter 67 (Buildings, Unfit; Property Maintenance) of the City Code, as amended from time to time, then the owner of such building shall, within ten (10) business days of notification by the City, register such building as a vacant building and submit a vacant building plan.
 - (4) Single Family Dwellings, Previously Not Owner Occupied. Whenever any building designed as a single-family dwelling is vacant and the immediately preceding occupant was not the owner ~~and~~ OR such building or premises thereof contains one (1) or more violations of Chapter 67 (Buildings, Unfit; Property Maintenance) of the City Code, as amended from time to time, then the owner of such building shall, within ten (10) business days of notification by the City, register such building as a vacant building and submit a vacant building plan.
 - (5) Single Family Dwellings, Previously Owner Occupied, New Owner Will Not Occupy. Whenever any building designed as a single-family dwelling is vacant and the immediately preceding occupant was the owner and ownership has changed hands and the new owner will not occupy the premises ~~and~~ OR such building or premises thereof contains one (1) or more violations of Chapter 67 (Buildings, Unfit; Property Maintenance) of the City Code, as amended from time to time, then the owner of such building shall, within ten (10) business days of notification by the City, register such building as a vacant building and submit a vacant building plan.
- D. Notice of registration requirement. Upon a determination by the City Administrator that a building in the City is required to be registered as set forth herein, the City Administrator OR HIS/HER DESIGNEE shall provide notice to the owner or agent of the requirement to

register the building and submit a vacant building plan to the City Administrator. In the event of the existence of one (1) or more violations of Chapter 67 (Buildings, Unfit; Property Maintenance) of the City Code, as amended from time to time, in connection with the building or premises thereto, then the City Administrator shall specify in the notice the existence of such violation(s). The failure of the City Administrator to provide this notice, or the failure of an owner to receive notice from the City Administrator, shall not relieve the owner of the obligation to register such building as a vacant building and submit a vacant building plan.

SECTION 2. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the Recitals to this Ordinance are incorporated herein and deemed a substantive part of this Ordinance.

SECTION 3. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance or the property maintenance code adopted by this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

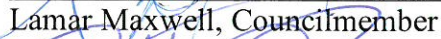
SECTION 5. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

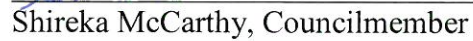
SECTION 6. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT that the City Clerk shall certify to the adoption of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT

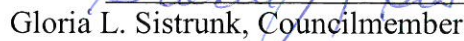

Charl Jones, Councilmember


Hope Love, Councilmember


Lamar Maxwell, Councilmember

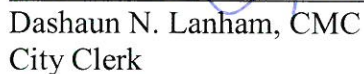

Shireka McCarthy, Councilmember


Kelly Porter, Councilmember


Gloria L. Sistrunk, Councilmember

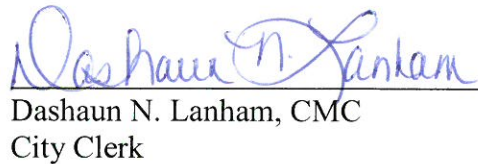

Reveral L. Yeargin, Councilmember

ATTEST:


Dashaun N. Lanham, CMC
City Clerk

APPROVED:

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter for Seat Pleasant this 10th October, 2017.


Dashaun N. Lanham, CMC
City Clerk

In accordance with Section C-313 of the Charter for Seat Pleasant, I hereby (APPROVE) ~~(DISAPPROVE)~~ of this Ordinance this Oct. 10, 2017.


Eugene W. Grant, Mayor

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.